

**PURPOSE: TO REGULATE THE LICENSING AND CONTROL OF DOGS WITHIN
THE TOWN OF FREMONT.**

A. DEFINITIONS

As used in this ordinance, unless the context shall otherwise indicate, the following terms shall be defined as hereinafter set forth.

1. Dog: Any member of the canine family.
2. Owner: Any person, group, association, or organization maintaining, keeping, caring for, harboring or owning a dog.
3. At Large: Off the property or premises of the owner and not under the control of a responsible person and not confined in a vehicle.
4. Service Dogs: Any dog that is used as a guide for a blind person, a hearing dog that is used to assist a deaf person, or any dog that is used to assist any mobility impaired person
5. Vicious Dog: Any dog which growls, snaps at, bites or chases any person or persons while on foot or on any propelled vehicle. It shall also include any dog, which has attacked any animal, domestic or wild.
6. Menace or Nuisance Dogs: Any dog that is considered to be a menace or a nuisance to persons or to property under any or all, but not limited to, the following conditions:
 - a. If it barks continuously for sustained periods of time.
 - b. If it barks so as to disturb the peace and quiet of a neighborhood or area.
 - c. While it runs at large on the streets or public property, or the property of another, it turns over garbage cans, waste containers, or otherwise causes waste or garbage to be scattered on property other than its owner's.
 - d. While it runs at large, it barks, growls, snaps at, bites, runs after, or chases any person or persons.
 - e. While it runs at large, it barks at, runs after or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled or pushed on the streets, highways, or public ways.
 - f. While it runs at large, whether alone or in a pack with other dogs, it runs after, chases or preys on game animals, fowl, or human beings.

- g. While it runs at large, it digs, scratches, or excretes on any property other than its owner's.
- h. While in heat is unconfined. (Confinement shall mean within an enclosed building – not accessible to other dogs).

B. ACTS PROHIBITED

RUNNING AT LARGE: It shall be unlawful for the owner or keeper of a dog to permit a dog so owned or kept, to run at large without being controlled by a leash, except for the following,

1. When the dog is on the owner's property.
2. When the dog is accompanied by owner or custodian and being used for hunting, herding, supervised competition and exhibition.
3. When the dog is accompanied by owner or custodian and is in actual training for hunting, herding, supervised competition and exhibition.

MENACE OR NUISANCE: It shall be unlawful for the owner or keeper of a dog to permit a dog so owned or kept, to become a Menace or Nuisance as described in section A above.

VICIOUS: No person owning a vicious dog shall keep such dog on private property unless said dog is in a secure enclosure of the residence of the owner. Vicious dogs shall not be allowed on public property except when on a leash of three feet or less in length and a tensile strength of at least 300 pounds. If said dog has caused serious bodily injury, it shall also be muzzled while on public property. Vicious dogs so restrained shall be under the control of an adult able to restrain the dog while off the owner's premises.

RESTRICTED AREAS: No person, firm or corporation shall allow or have in his or her physical control any dog other than a service dog as defined above, while in the geographical confines of:

Fremont Memorial Recreational Park
Pratt Memorial Park
All cemeteries

The grounds surrounding Fremont Ellis School, Fremont Town Hall, Fremont Safety Complex, Fremont Public Library, Fremont Historical Society.

No person, firm or corporation shall allow any dog to excrete, while not on their private property, without picking up and removing the excrement.

C. IMPOUNDING OF DOGS

Any dog found at large outside the premises or property of the owner and within the Town of Fremont may be restrained and impounded by the Fremont animal Control Officer or the Fremont Police Department.

D. CLAIMING IMPOUNDED DOGS

Any owner or individual claiming a dog impounded by the Fremont Police Department, shall pay to the Town of Fremont, a \$20.00 pick up fee, plus any boarding fees.

E. LICENSE AND REGISTRATION

The owner of a dog kept, harbored, or maintained in the Town of Fremont shall license and register the dog as specified in Chapter 966 of the REVISED STATUTES ANNOTATED of the State of New Hampshire.

F. PENALTIES

Any person, firm or corporation violating any provision of

Section B (Running at Large)

1 st Offense:	\$25.00
2 nd Offense:	50.00
3 rd or subsequent offense:	100.00

Section B (Nuisance)

1 st Offense:	\$25.00
2 nd Offense:	50.00
3 rd or subsequent offense:	100.00

Section B (Menace)

1 st Offense:	\$ 50.00
2 nd Offense:	100.00

Section B (Vicious)

1st Offense:	\$100.00
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Section B (Restricted Areas)

\$25.00 each offense

Section B (Failure to clean up after dog)

\$25.00 each offense

Witness our hands and seal this 29th day of July 2004.

/s/ Eugene Cordes

Eugene Cordes

/s/ Donald W Gates Jr

Donald W Gates Jr

/s/ Peter B Bolduc

Peter B Bolduc

This is to certify that on the 30th day of July 2004, at 11:00o'clock in the forenoon, the above ordinance was filed and recorded in the records of the Town of Fremont, NH.

Witness my hand this 30th day of July 2004.

/s/ Lori A Holmes

Lori A. Holmes
Town Clerk